

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3050
)	
v.)	
)	MEMORANDUM AND ORDER
BOBBIE H. KEYS,)	
)	
Defendant.)	

The defendant has moved to continue the pretrial motion deadline and the trial date. Filing No. 19. Defense counsel explains that he recently received additional discovery from the government, needs to investigate the statements and information provided by out-of-state witnesses, and therefore needs additional time to determine if pretrial motions should be filed and to prepare for trial. Based on the showing set forth in the defendant's motion, the court finds the motion should be granted.

IT IS ORDERED:

- 1) The defendant's unopposed motion to continue, (filing no. 19), is granted.
- 2) The defendant's pretrial motions shall be filed on or before October 14, 2011.
- 3) Trial of this case remains set to commence on December 12, 2011.
- 4) The ends of justice served by granting defendant's motion to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and December 12, 2011, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

September 9, 2011.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge